REMARKS/ARGUMENTS

Claims 1 to 5, 7, 8, and 11 to 26 are pending in the present application, of which claims 1, 4, 5, 7, 8, 13, 17, 19, 23, 25 and 26 are the independent claims. In the above amendments, claim 5 has been amended. Applicant respectfully submits that this amendment is fully supported by the specification and figures as originally filed, including, by way of example, original claim 4.

Applicant respectfully responds to this Office Action.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1 to 3, 7 and 12 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,330,456 ("Hashem") in view of U.S. Patent Application Publication No. 2004/0066772 ("Moon"). Reconsideration and withdrawal of these rejections are respectfully requested.

Hashem and Moon are not seen to disclose or suggest the features of independent claims 1 and 7. For example, Applicant's claim 1 recites a power control unit operative to generate a power control instruction in response to a link quality estimate, the power control instruction including one or more commands configured to adjust a transmit power of a common channel at a base station. Claim 7 recites measuring a SNR of at least one power control bit for controlling a reverse link, and determining a power control decision for the forward link based on the SNR, wherein the power control decision includes one or more commands configured to adjust a transmit power of the common channel at a base station.

Hashem is seen to be generally directed to a scheme for combining power control commands in a mobile station during soft handoff. See Hashem, col. 3, ll. 62-64. As conceded in the Office Action, Hashem fails to disclose a power control instruction received on a common channel, wherein the power control instruction is used to adjust a transmit power of the common channel at a base station. Moreover, Hashem is silent as to a power control unit operative to generate a power control instruction in response to a link quality estimate. The Office Action characterized col. 4, ll. 1 35 of Hashem as disclosing such a power control unit, but Applicant respectfully submits that the cited portion of Hashem is directed to the weighting of multiple power control commands (e.g., in a "soft handoff"). Hashem is simply silent as to the generation of a power control instruction in response to a link quality estimate, let alone a power control

instruction which includes one or more commands configured to adjust a transmit power of a common channel at a base station, as in Applicant's claim 1. Similarly, Hashem is silent as to determining a power control decision for a forward link based on a measured SNR, or to a power control decision including one or more commands configured to adjust a transmit power of the common channel at a base station, as in claim 7.

Moon is not seen to remedy the foregoing deficiencies of Hashem. Moon discloses that a ***base station*** receives a signal from a mobile station via a reverse link common channel, and transmits to the ***mobile station*** a power control command for controlling a transmission power of the reverse link common channel according to a strength of the received signal. *See* Moon, ¶ [0022]. This is entirely unlike claim 1 of the present application, in which the a power control unit in a remote station apparatus (not a base station, as in Moon) generates a power control instruction which includes one or more commands configured to adjust a transmit power of the common channel at a base station (not a mobile station, as in Moon). To clarify, in Moon, a ***base station*** generates a power control command. In claim 1, a ***remote station apparatus*** generates a power control instruction. In Moon, the power control command is for controlling a transmission power of a ***reverse link*** (*i.e.*, a transmission ***from*** the mobile station ***to*** the base station). In claim 1, the power control instruction includes commands configured to adjust a transmit power of a ***common channel*** at a base station (*e.g.*, a transmission ***to*** the remote station apparatus ***from*** the base station—***not*** a reverse link). Moreover, the disclosure of Moon is entirely unlike claim 7 of the present application. In claim 7, a power control decision is determined for a ***forward link*** based on a measured SNR, and the power control decision includes one or more commands configured to adjust a transmit power of the common channel at a ***base station***. In Moon, the power control command is for controlling a transmission power of a ***reverse link*** (*i.e.*, a transmission ***from*** the mobile station ***to*** the base station).

Accordingly, the Hashem and Moon, whether taken alone or in combination, are not seen to disclose or suggest the features of independent claims 1 and 7, particularly with respect to at least the features of (i) a power control unit operative to generate a power control instruction in response to a link quality estimate, the power control instruction including one or more commands configured to adjust a transmit power of a common channel at a base station (as in claim 1), and (ii) measuring a SNR of at least one power control bit for controlling a reverse link,

and determining a power control decision for the forward link based on the SNR, wherein the power control decision includes one or more commands configured to adjust a transmit power of the common channel at a base station (as in claim 7). In view of the foregoing, independent claims 1 and 7 are believed to be patentably distinguishable over the applied references, and reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections of these claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 4 to 6, 8, 11, 17, 18, and 23 to 26 are rejected under 35 U.S.C. § 103(a) over International Patent Application Publication No. WO 99/53630 ("Knutsson") in view of U.S. Patent Application Publication No. 2002/0105929 ("Chen"); and Claims 16 and 22 are rejected under 35 U.S.C. § 103(a) over Knutsson in view of Hashem. While Claims 13, 14, 15, 19, 20 and 21 were not specifically identified as rejected on page 5 of the Office Action, Applicant understands these claims to have been rejected over Knutsson and Hashem, in view of the discussion of these claims on pages 7 and 8 of the Office Action. Reconsideration and withdrawal of these rejections are respectfully requested.

Knutsson and Chen are not seen to disclose or suggest the features of independent claims 4, 5, 8, 13, 17, 19, 23, 25 and 26. For example, Applicant's claims 4, 5, 17, 23 and 26 recite adjusting a transmission power level of a power control instruction for base station transmission on a common channel. Claim 8 recites determining, in response to receiving a power control instruction on the reverse link, transmission power levels for transmitting another power control instruction on a common channel. Claims 13, 19 and 25 recite generating a power control instruction in response to a link quality estimate, wherein the power control instruction includes one or more commands configured to adjust a transmit power of a common channel at a base station.

Knutsson is seen to be generally directed to adjusting output power offsets between signals transmitted from a base station to a remote station. *See* Knutsson, Abstract. The Office Action appears to confuse the mobile remote station of Knutsson (element "MS"—see p. 1, l. 28, p. 2, l. 8) with the base station of the claimed invention. In this regard, while Knutsson discloses that that the required quality of the ***uplink*** power control (*i.e.*, the link ***from*** the mobile remote

station ***to*** a base station) is calculated based on a determined characteristic, Knutsson is not seen to disclose, or even to suggest, determining a received power control instruction for base station transmission on a ***common channel*** (*e.g.*, ***from*** the base station ***to*** a remote station). Moreover, as conceded in the Office Action, Knutsson fails to disclose that the power control instruction (which, in Knutsson, is an instruction for controlling ***uplink*** power control, unlike the claimed invention) is received on a common channel. Accordingly, Knutsson could not possibly disclose or suggest determining, adjusting and/or generating a power for base station transmission of power control instructions on a common channel.

Chen is not seen to remedy the foregoing deficiency of Knutsson. Chen is seen to be generally directed to transmitting over a forward link in a CDMA communications system. *See* Chen, Abstract. Specifically, Chen discloses a slot structure including "three Forward Shared Power Control Channels (F-SHPCCH)." Chen, ¶ [0110]. Chen is not, however, seen to disclose ***generating***, ***adjusting*** and/or ***determining*** a power level for transmission of a power control instruction on a common channel. Moreover, in characterizing the disclose of Chen as "a shared channel structure for use in a forward link power control scheme, in other words, **a power control instruction *received* on a common channel**," (emphasis added), the Office Action reiterates what seems to be a recurring misapprehension of Applicant's claims—namely, the Office Action appears to confuse the ***base station transmission*** of power control instructions on a common channel (as in the claimed invention) with the ***reception*** of power control instructions at a base station, as in the cited reference. Neither Chen, nor any of the other cited references, is seen to disclose, or even to suggest, determining, adjusting and/or generating a power for base station transmission of power control instructions on a common channel.

Accordingly, the applied references, whether taken alone or in combination, are not seen to disclose or suggest the features of independent claims 4, 5, 8, 13, 17, 19, 23, 25 and 26, particularly with respect to at least the features of (i) adjusting a transmission power level of a power control instruction for base station transmission on a common channel (as in claims 4, 5, 17, 23 and 26), (ii) determining, in response to receiving a power control instruction on the reverse link, transmission power levels for transmitting another power control instruction on a common channel (as in claim 8), and (iii) generating a power control instruction in response to a link quality estimate, wherein the power control instruction includes one or more commands

configured to adjust a transmit power of a common channel at a base station (as in claims 13, 19 and 25). In view of the foregoing, independent claims 4, 5, 8, 13, 17, 19, 23, 25 and 26 are believed to be patentably distinguishable over the applied references, and reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections of these claims are respectfully requested.

The other claims currently under consideration in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

REQUEST FOR ALLOWANCE

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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